



January 19, 2010

SENT BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Linda Jacobson (3 Copies)
RCRA Project Manager
US EPA Region VIII
8ENF-T
1595 Wynkoop Street
Denver, Colorado 80202-1129

RECEIVED

JAN 25 2010

Office of Enforcement
Compliance & Environmental Justice

RE: Consent Decree Civil Action No. CV 98-3-H-CCL East Helena Site
Work Performed in December 2009; Progress Report #132

Dear Ms. Jacobson:

On May 5, 1998, ASARCO and the United States Environmental Protection Agency (EPA) entered into a Consent Decree (the Decree) to further the objectives of the Resource Conservation and Recovery Act (RCRA) and the Clean Water Act (CWA). On December 9, 2009, the Montana Environmental Custodial Trust (the Custodial Trust) was established as part of the larger ASARCO bankruptcy settlement agreement approved by the Bankruptcy Court (SD, Texas) and the US Federal District Court (SD, Texas). A Consent Decree and Settlement Agreement regarding Montana Sites (the Settlement Agreement) was entered into by ASARCO, US Department of Justice (DOJ), US Environmental Protection Agency (EPA), the State of Montana (the State) and the Montana Environmental Trust Group, LLC, not individually, but solely in its representative capacity as Trustee for the Montana Environmental Custodial Trust. The Settlement Agreement describes the role and responsibilities of the Custodial Trust, which include owning, managing, and overseeing the clean-up and revitalization of ASARCO's property in East Helena, Montana (the Site). The United States and the State of Montana are the two designated beneficiaries of the Custodial Trust.

Pursuant to the Settlement Agreement, a motion to reopen the Decree and substitute the Custodial Trust for ASARCO was granted by the US Federal District Court in January 2010. As of the date of this report, EPA, DOJ and the

Custodial Trust are in the process of finalizing a First Modification to the Decree that will conform to the terms of the Settlement Agreement. The Custodial Trust submits this progress report under the Decree subject to and pending the finalization of the First Modification to the Decree. Nothing herein, or in the substitution, should be interpreted or construed to constitute an unqualified acceptance of the terms of the Decree by the Custodial Trust or a waiver or release of its right to a modification of the Decree consistent with the Settlement Agreement. The Custodial Trust reserves all rights to object to those parts of the Decree that it reasonably believes are inconsistent with the Settlement Agreement. As with this report, future progress reports prescribed by the Decree, as so amended, will be submitted to EPA by the Custodial Trust.

Section XI of the Decree (Reporting: Corrective Action) requires submittal of certified monthly progress reports to EPA to describe the actions taken to achieve compliance with the Decree. The reports are to be submitted to EPA no later than the twentieth (20th) day of the subsequent month. The following describes those activities that have occurred or are related to projects performed during December 2009. As to actions performed by ASARCO, the Custodial Trust's predecessor-in-interest, the descriptions are based on information and belief only. The historical steps taken to achieve compliance with the Decree are contained in previous monthly progress reports.

- a. **Describe the actions, progress, and status of projects which have been undertaken pursuant to Part VII of the Decree.**

2009 Cleaning and Demolition Work Plan

On November 20, 2009, Northwest Lining and Geotextile (subcontractor to Cleveland Wrecking Company) commenced placement of the temporary cover over the CAMU Phase 2 Cell footprint reusing the old cover and/or installing new cover, as required. Northwest Lining and Geotextile completed the cover installation on December 2, 2009.

In November 2009, ASARCO submitted the report on the historic recordation of buildings cleaned and demolished as part of the 2009 Work Plan for the facility. The only remaining tasks relative to the

historic recordation will entail responding to EPA comments on the report and accompanying deliverables, if any.

During December 2009, Northwest Lining and Geotextile continued to place temporary liners within the plant site. Cold, wet, and windy weather, along with a manufacturer's shortage of liner material prevented prompt placement of the temporary liner within the facility. An early-season snowstorm further reduced manpower efficiency and slowed liner placement. Consequently, not all of the temporary liner was installed by ASARCO's contractors prior to the Custodial Trust assuming responsibility for the site. Cleveland Wrecking Company reported that the temporary liner and seaming of existing liners in the area east of the concentrate storage and handling building has not occurred. Verification of the temporary liner placement cannot be confirmed until the snow melts. ASARCO expected to replace and repair the temporary liner east of the concentrate storage and handling building (and to replace and repair any liner damaged as a result of demolition activities performed by Cleveland Wrecking Company) after snow melt. Since weather conditions have prevented that work from proceeding as planned, the Custodial Trust will consult with EPA on how best to implement outstanding work related to the temporary liners.

RCRA Facility Investigation (RFI) Phase II Site Characterization and Risk Assessment Work Plans

On November 20, 2009, ASARCO (through Hydrometrics) provided EPA with a map and proposal for conducting the stream gaging study on Prickly Pear Creek. EPA approved the proposal and directed ASARCO to proceed with the study, subject to comments from EPA (which included input from Lewis and Clark County representatives). On November 25, 2009, a budget for conducting the study was provided by ASARCO to EPA.

On December 1, 2009, Hydrometrics conducted synoptic stream gauging on Prickly Pear Creek. Stream gaging was required to evaluate the groundwater/surface water interaction on Prickly Pear Creek from Kleffner Ranch to Canyon Ferry Road. The attached map shows the

locations and flow values for each of the sixteen sites where data was collected.

Interim Measures

No interim measures were conducted in December 2009 at the facility.

Corrective Action Management Unit (CAMU)

On December 1, 2009, Hydrometrics (on behalf of ASARCO) provided EPA with photographs of the CAMU Phase 2 cell temporary liner installation.

During December 2009, Hydrometrics continued to monitor the leak detection and leachate collection sumps at the CAMU. However, cold weather and snow have prevented monitoring since December. The leak detection sump continued to have zero flow, although a small amount of water (3-4 inches) is present in the bottom of this sump.

RI/FS Long-Term Monitoring Program

On December 24, 2009, the monthly sampling of select residential groundwater wells, as prescribed in the 2009 Groundwater and Surface Water Sampling and Monitoring Plan (the May 2009 GW/SW Plan) was conducted. Copies of the November 2009 and December 2009 residential well notification letters, along with the corresponding laboratory analytical reports are attached to this monthly progress report.

A summary of the correspondence transmitted as part of the East Helena Consent Decree in December 2009 is included in Attachment I.

- b. **Identify any requirements under the Part VII of the Decree that were not completed in a timely manner, and problems or anticipated problem areas affecting compliance with the Decree.**

As discussed in Section a. above, Northwest Lining and Geotextile did not complete installation of all the temporary liners within the plant site nor did they make repairs to existing liners that were damaged during demolition activities. There were no other requirements that were not

completed in a timely manner nor were there problems or anticipated problem areas that may affect compliance with the Decree.

c. Describe projects completed during the prior month, as well as activities scheduled for the next month.

In accordance with the 2006 Interim Measures Work Plan Addendum, Final Cleaning, Soil Sampling, Backfilling, and Interim Cap Work Plan and the 2006 Interim Measures Work Plan Addendum, Former Acid Plant Sediment Drying Area Slurry Wall, Monitoring, Operation, and Maintenance Work Plan, four areas on site where interim caps have been installed¹ are being inspected on a monthly basis. These monthly inspections were expanded to include areas where above-grade demolition activities were conducted under the 2008 Interim Measures Work Plan and the 2008 and 2009 Cleaning and Demolition Project Work Plan. The most recent inspections occurred on December 4, 2009.

In accordance with the July 2000 CAMU Design Analysis Report (Operation and Maintenance Plan), the CAMU Phase 1 cell is being inspected monthly. The most recent inspection occurred on December 3, 2009. Inspections of the CAMU Phase 2 cell temporary cover are conducted on a weekly basis. Monthly and weekly inspections confirm that the CAMU Phase 1 and Phase 2 cells are operating as designed.

The well integrity evaluation is nearing completion after which the Custodial Trust will submit its recommendations to the EPA.

d. Describe and estimate the percentage of studies completed.

The following projects or studies are 100% complete:

- Pump and treat pilot scale testing for source area reduction of groundwater contamination;

¹ The four areas include: the acid sediment drying area; the dross plant and blast furnace; the acid plant contact and non-contact areas; and the thaw house.

- Jar testing (Phase I) of the East Helena PRB materials testing program;
- Slurry wall construction in the former acid plant sediment drying area;
- Interim capping project for the following areas:
 - former acid plant sediment drying area
 - dross area
 - sinter plant area
 - gas cleaning and contact sections of the acid plant
 - thaw house
 - blast furnace baghouse
 - blast furnace flue
 - Monier flue
 - sample mill
 - crushing mill
 - hopper pad
 - storage bins and gallery
 - acid dust facility
 - sinter stocking building
 - highline railroad
 - abandoned and new breaking floor buildings
 - groundwater sump
 - sinter plant, acid plant, and blast furnace baghouse stacks.
- January 2008 CAMU Phase 2 Cell Design Analyses, CAMU Phase 2 cell construction, and placement of 2008 and 2009 wastes within the CAMU Phase 2 cell;
- Slurry wall construction in the former speiss-dross plant area;
- Historic recordation tasks associated with the 2008 and 2009 Cleaning and Demolition Work Plans;
- 2008 Interim Measures Work Plan Addendum, Blast Furnace Flue and Monier Flue Cleaning and Demolition and Demolition Footprint Exposed Areas Soil Sampling obligations;
- Submittal of the Baseline Ecological Risk Assessment Work Plan (June 2009) and Field Sampling and Analysis Plan (FSAP);
- Submittal of the Human Health Risk Assessment Work Plan (October 2009); and

- Submittal of the Phase II RCRA Facility Investigation Site Characterization Work Plan (September 2009).

e. **Describe and summarize all findings to date.**

The details of Findings through November 2009 have been described and summarized in previous monthly progress reports.

f. **Describe actions being taken to address problems.**

There were no other actions required to address problems associated with the Decree.

g. **Identify changes in key personnel during the period.**

Excluding substitution of the Custodial Trust for ASARCO, there were no significant changes in key personnel during the period.

h. **Include copies of the results of sampling and tests conducted and other data generated pursuant to work performed under Part VII of the Decree since the last Progress Report. ASARCO may submit data that has been validated and confirmed by ASARCO to supplement any prior submitted data. Updated validated and confirmed data shall be included with the RFI Report, if not delivered before.**

Copies of the November and December 2009 residential well notification letters, along with the respective laboratory analytical reports are attached to this monthly progress report.

i. **Describe the status of financial assurance mechanisms, including whether any changes have occurred, or are expected to occur which might affect them, and the status of efforts to bring such mechanisms back into compliance with the requirements of this Decree.**

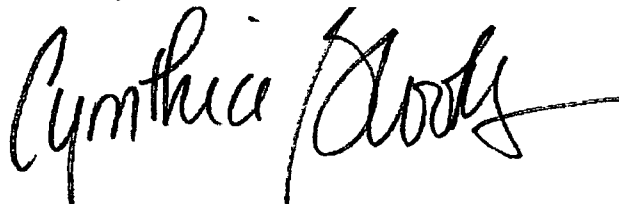
The Custodial Trust received funds for Environmental Actions earmarked for site clean-up in connection with the ASARCO bankruptcy

settlement. The Custodial Trust deposited the funds in a separate East Helena Clean-up account and will be investing and managing the funds in accordance with the provisions of the Settlement Agreement.

Paragraph 97 of the Decree requires that a single cost estimate for the remaining work to be performed under Section VII (Corrective Action at East Helena) be developed and maintained with the annual cost estimates being transmitted with the January monthly progress reports. During January 2010, this cost estimate will be prepared and refined and is expected to include, but not limited to, costs for implementing: (i) the human health risk assessment work plan; (ii) the ecological risk assessment work plan, (iii) the RFI work plan; and (iv) the groundwater investigation. Other actions that the Lead Agency deems necessary will be included in the budget estimate.

Please do not hesitate to call me with any questions pertaining to this transmittal.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia Brooks", with a long horizontal flourish extending to the right.

Montana Environmental Trust Group, LLC
as Trustee of the Montana Environmental
Custodial Trust

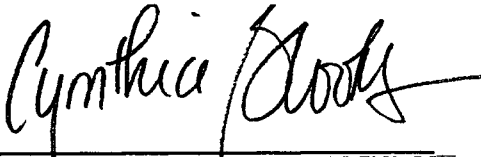
By: Greenfield Environmental Trust Group, Inc.
not individually but solely as Member

By: Cynthia Brooks, President

Attachments

CERTIFICATION
PURSUANT TO U.S. v ASARCO INCORPORATED
(CV-98-3-H-CCL, USDC, D. Montana)

I certify under penalty of law that this document, December 2009 Progress Report and all attachments, for the period from December 9, 2009 through December 31, 2010, were prepared under my direct supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations.



Signature

Montana Environmental Trust Group, LLC
as Trustee of the Montana Environmental
Custodial Trust

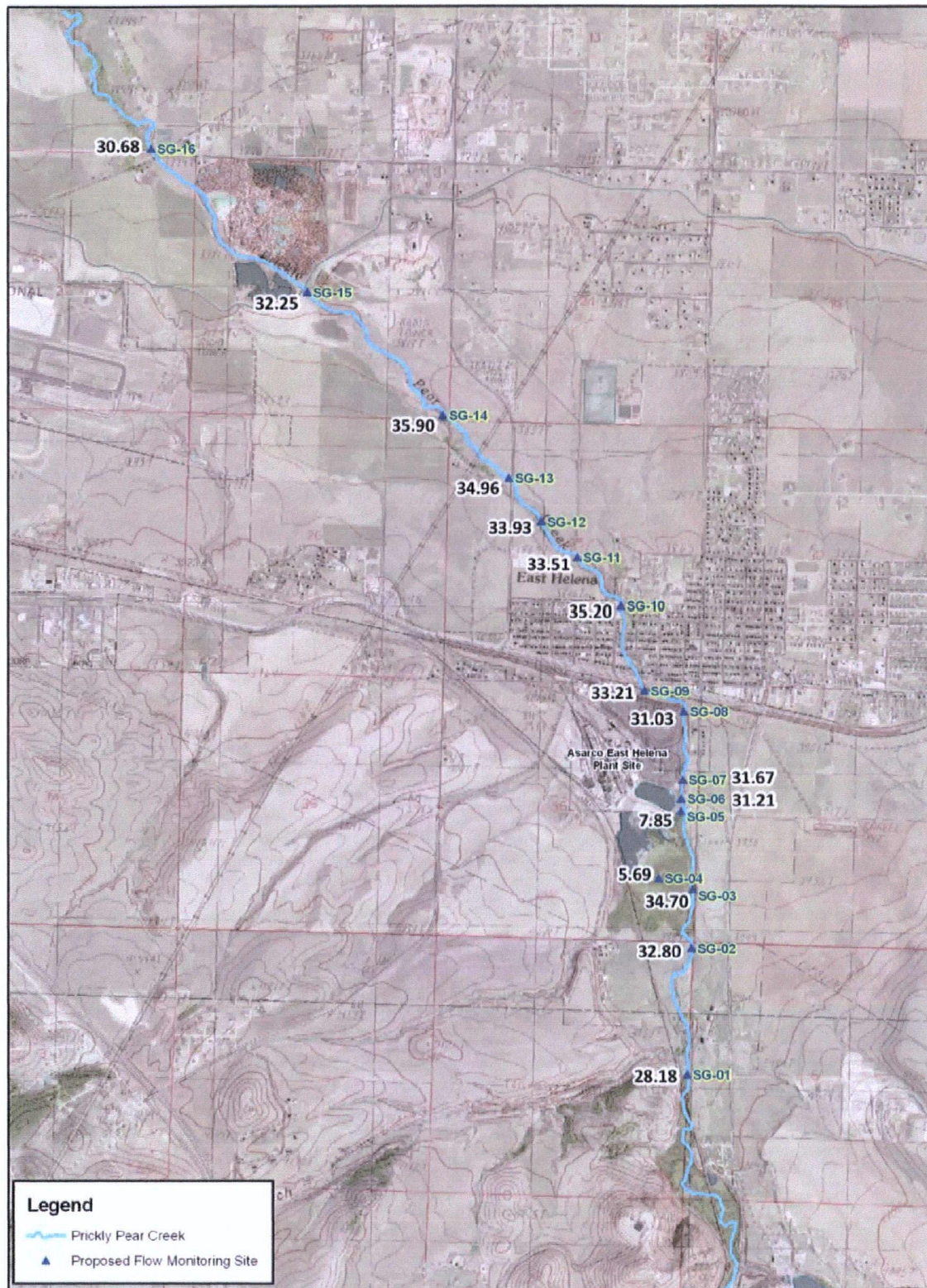
By: Greenfield Environmental Trust Group, Inc.
not individually but solely as Member

By: Cynthia Brooks, President

Date: January 19, 2010

Consent Decree
East Helena Site
December 2009 Progress Report
Summary of Correspondence
Attachment I

DATE OF TRANSMITTAL	CORRESPONDENCE SENT FROM	CORRESPONDENCE SENT TO	SUBJECT	RESPONSE
December 1, 2009	Mark Rhodes	Linda Jacobson	Photographs of CAMU Phase 2 Cell Temporary Cover	No Formal Response Required
Attached to This Monthly Progress Report	Jon Nickel	Linda Jacobson	Prickly Pear Creek Stream Gauging Map	No Formal Response Required
Attached to This Monthly Progress Report	Jon Nickel	Linda Jacobson	November and December 2009 Residential Well Notification Letter/Results	No Formal Response Required



0 1,000 2,000 4,000
Feet

**Proposed Prickly Pear Creek
Synoptic Monitoring Locations**

January 15, 2010

Pat Foley
203 Gail Street
P. O. Box 2254
East Helena, Montana 59635

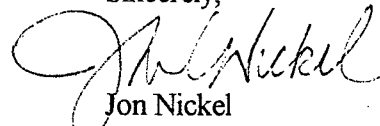
Dear Mr. Foley:

Enclosed are the analytical results for the water samples that were collected from the 203 Gail Street ground water well on December 24, 2009. All the results are reported in milligrams per liter, unless otherwise noted. The physical parameters are reported in the units noted on the attached laboratory analytical report. "ND" indicates that the parameter was not detected at the reporting limit.

Based on the analytical results, the water quality of the well is better than the Montana Human Health Standards and Federal Maximum Contaminant Level (MCL)/Action Levels for the constituents tested. These recent water quality results are consistent with previous monitoring data from your site and do not indicate significant changes from historical baseline data.

If you have any questions about the enclosed water quality results, please feel free to contact me at 227-4529.

Sincerely,



Jon Nickel
Consultant

Enclosures

Cc: via electronic mail:

Cindy Brooks – METG, Trustee for the Montana Environmental Custodial Trust
Marc Weinreich - METG, Trustee for the Montana Environmental Custodial Trust
Bob Anderson - Hydrometrics



ENERGY LABORATORIES, INC. * 3161 E Lyndale (59604) * PO Box 5688 * Helena, MT 59601
Toll Free 877.472.0711 * 406.442.0711 * FAX 406.442.0712 * helena@enerylab.com

LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID EHR-1209-303 Foley Residence
Lab ID: H09120250-004 203 Gail Street
Matrix: Aqueous

Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Collection Date: 12/24/09 10:00 Date Received: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.4	s.u.		0.1		A4500-H B	12/28/09 09:23 / hm		PH2_091228A : 6		091228A-PH-W
Conductivity	281	umhos/cm		1		A2510 B	12/28/09 09:17 / hm		COND_091228A : 791228A-COND-PROB		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	12/28/09 09:37 / hm	12/28/09 08:42 J-124 (14410200)_091228A : 8			7667
Solids, Total Dissolved TDS @ 180 C	180	mg/L		10		A2540 C	12/28/09 08:53 / hm	12/28/09 08:41 J-124 (14410200)_091228B : 8			7666
INORGANICS											
Alkalinity, Total as CaCO3	76	mg/L		1		A2320 B	12/29/09 14:35 / hm		MAN-TECH_091229A : 31		R59266
Bicarbonate as HCO3	93	mg/L		1		A2320 B	12/29/09 14:35 / hm		MAN-TECH_091229A : 31		R59266
Chloride	4	mg/L		1		E300.0	12/29/09 00:17 / hm		IC101-H_091228A : 45		R59376
Sulfate	53	mg/L		1		E300.0	12/29/09 00:17 / hm		IC101-H_091228A : 45		R59376
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Antimony	ND	mg/L		0.003		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Arsenic	ND	mg/L		0.002		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Barium	ND	mg/L		0.1		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Beryllium	ND	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Cadmium	ND	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Calcium	30	mg/L		1		E200.7	12/29/09 16:59 / sld		ICP1-HE_091229B : 55		R59274
Chromium	ND	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Cobalt	ND	mg/L		0.01		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Copper	0.021	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Gold	ND	mg/L		0.01		E200.7	12/29/09 12:42 / sld		ICP1-HE_091229A : 61		R59261
Iron	0.02	mg/L		0.02		E200.7	12/29/09 12:42 / sld		ICP1-HE_091229A : 61		R59261
Lead	ND	mg/L		0.005		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Magnesium	7	mg/L		1		E200.7	12/29/09 12:42 / sld		ICP1-HE_091229A : 61		R59261
Manganese	ND	mg/L		0.01		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Mercury	ND	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Nickel	ND	mg/L		0.01		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Potassium	2	mg/L		1		E200.7	12/29/09 12:42 / sld		ICP1-HE_091229A : 61		R59261
Selenium	ND	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Silver	ND	mg/L		0.005		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



ENERGY LABORATORIES, INC. * 3161 E Lyndale (59604) * PO Box 5688 * Helena, MT 59601
Toll Free 877.472.0711 * 406.442.0711 * FAX 406.442.0712 * helena@enerylab.com

LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID EHR-1209-303
Lab ID: H09120250-004
Matrix: Aqueous

Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Collection Date: 12/24/09 10:00 Date Received: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	11	mg/L		1		E200.7	12/29/09 16:59 / sld		ICP1-HE_091229B : 55		R59274
Tellurium	ND	mg/L		0.1		E200.7	12/29/09 16:59 / sld		ICP1-HE_091229B : 55		R59274
Thallium	ND	mg/L		0.001		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Vanadium	ND	mg/L		0.01		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286
Zinc	ND	mg/L		0.01		E200.8	12/30/09 05:41 / dck		ICPMS204-B_091230A : 22		R59286

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.

January 15, 2010

John Simac
2540 Wylie Drive
P. O. Box 59
East Helena, Montana 59635

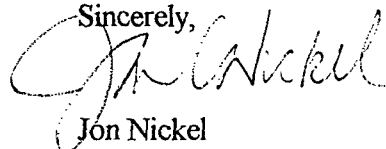
Dear Mr. Simac:

Enclosed are the analytical results for the water samples (both original and duplicate) that were collected from the 2540 Wylie Drive ground water well on December 24, 2009. Your irrigation well was not in service during the sampling event. All the results are reported in milligrams per liter, unless otherwise noted. The physical parameters are reported in the units noted on the attached laboratory analytical report. "ND" indicates that the parameter was not detected at the reporting limit.

Based on the analytical results, the water quality of the well is better than the Montana Human Health Standards and Federal Maximum Contaminant Level (MCL)/Action Levels for the constituents tested. These recent water quality results are consistent with previous monitoring data from your site and do not indicate significant changes from historical baseline data.

If you have any questions about the enclosed water quality results, please feel free to contact me at 227-4529.

Sincerely,



Jon Nickel
Consultant

Enclosures

Cc: via electronic mail:

Cindy Brooks – METG, Trustee for the Montana Environmental Custodial Trust
Marc Weinreich - METG, Trustee for the Montana Environmental Custodial Trust
Bob Anderson - Hydrometrics



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Toll Free 877.472.0711 * 406.442.0711 * FAX 406.442.0712 * helenalab@energylab.com

LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC, Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Client Sample ID EHR-1209-301 Simac Residence (Original Sample) Collection Date: 12/24/09 09:00 Date Received: 12/24/09
Lab ID: H09120250-002 2540 Wylie Drive Report Date: 01/05/10
Matrix: Aqueous

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.4	s.u.		0.1		A4500-H B	12/28/09 09:20 / hm		PH2_091228A : 3		091228A-PH-W
Conductivity	474	umhos/cm		1		A2510 B	12/28/09 09:13 / hm		COND_091228A : 491228A-COND-PROBI		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	12/28/09 09:36 / hm	12/28/09 08:42 J-124 (14410200)_091228A : 5			7667
Solids, Total Dissolved TDS @ 180 C	348	mg/L		10		A2540 C	12/28/09 08:52 / hm	12/28/09 08:41 J-124 (14410200)_091228B : 4			7666
INORGANICS											
Alkalinity, Total as CaCO ₃	110	mg/L		1		A2320 B	12/29/09 14:23 / hm		MAN-TECH_091229A : 29		R59266
Bicarbonate as HCO ₃	140	mg/L		1		A2320 B	12/29/09 14:23 / hm		MAN-TECH_091229A : 29		R59266
Chloride	6	mg/L		1		E300.0	12/28/09 23:12 / hm		IC101-H_091228A : 41		R59376
Sulfate	110	mg/L		1		E300.0	12/28/09 23:12 / hm		IC101-H_091228A : 41		R59376
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Antimony	ND	mg/L		0.003		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Arsenic	ND	mg/L		0.002		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Barium	ND	mg/L		0.1		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Beryllium	ND	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Cadmium	ND	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Calcium	63	mg/L		1		E200.7	12/29/09 16:38 / sld		ICP1-HE_091229B : 48		R59274
Chromium	ND	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Cobalt	ND	mg/L		0.01		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Copper	0.001	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Gold	ND	mg/L		0.01		E200.7	12/29/09 12:30 / sld		ICP1-HE_091229A : 57		R59261
Iron	ND	mg/L		0.02		E200.7	12/29/09 12:30 / sld		ICP1-HE_091229A : 57		R59261
Lead	ND	mg/L		0.005		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Magnesium	12	mg/L		1		E200.7	12/29/09 12:30 / sld		ICP1-HE_091229A : 57		R59261
Manganese	ND	mg/L		0.01		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Mercury	ND	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Nickel	ND	mg/L		0.01		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Potassium	5	mg/L		1		E200.7	12/29/09 12:30 / sld		ICP1-HE_091229A : 57		R59261
Selenium	0.003	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Silver	ND	mg/L		0.005		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



ENERGY LABORATORIES, INC. * 3161 E Lyndale (59604) * PO Box 5688 * Helena, MT 59601
Toll Free 877.472.0711 * 406.442.0711 * FAX 406.442.0712 * helena@enerylab.com

LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID EHR-1209-301
Lab ID: H09120250-002
Matrix: Aqueous

Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Collection Date: 12/24/09 09:00 DateReceived: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	18	mg/L		1		E200.7	12/29/09 16:38 / sld		ICP1-HE_091229B : 48		R59274
Tellurium	ND	mg/L		0.1		E200.7	12/29/09 16:38 / sld		ICP1-HE_091229B : 48		R59274
Thallium	ND	mg/L		0.001		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Vanadium	ND	mg/L		0.01		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286
Zinc	0.03	mg/L		0.01		E200.8	12/30/09 05:30 / dck		ICPMS204-B_091230A : 20		R59286

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



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LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID EHR-1209-302 Simac Residence (Duplicate Sample)
Lab ID: H09120250-003 2540 Wylie Drive
Matrix: Aqueous

Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Collection Date: 12/24/09 09:20 DateReceived: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.4	s.u.		0.1		A4500-H B	12/28/09 09:21 / hm		PH2_091228A : 4		091228A-PH-W
Conductivity	475	umhos/cm		1		A2510 B	12/28/09 09:15 / hm		COND_091228A : 591228A-COND-PROBI		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	12/28/09 09:37 / hm	12/28/09 08:42 J-124 (14410200)_091228A : 7			7667
Solids, Total Dissolved TDS @ 180 C	339	mg/L		10		A2540 C	12/28/09 08:53 / hm	12/28/09 08:41 J-124 (14410200)_091228B : 7			7666
INORGANICS											
Alkalinity, Total as CaCO3	110	mg/L		1		A2320 B	12/29/09 14:29 / hm		MAN-TECH_091229A : 30		R59266
Bicarbonate as HCO3	140	mg/L		1		A2320 B	12/29/09 14:29 / hm		MAN-TECH_091229A : 30		R59266
Chloride	7	mg/L		1		E300.0	12/29/09 00:01 / hm		IC101-H_091228A : 44		R59376
Sulfate	110	mg/L		1		E300.0	12/29/09 00:01 / hm		IC101-H_091228A : 44		R59376
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Antimony	ND	mg/L		0.003		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Arsenic	ND	mg/L		0.002		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Barium	ND	mg/L		0.1		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Beryllium	ND	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Cadmium	ND	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Calcium	58	mg/L		1		E200.7	12/29/09 16:41 / sld		ICP1-HE_091229B : 49		R59274
Chromium	ND	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Cobalt	ND	mg/L		0.01		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Copper	0.001	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Gold	ND	mg/L		0.01		E200.7	12/29/09 12:33 / sld		ICP1-HE_091229A : 58		R59261
Iron	ND	mg/L		0.02		E200.7	12/29/09 12:33 / sld		ICP1-HE_091229A : 58		R59261
Lead	ND	mg/L		0.005		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Magnesium	11	mg/L		1		E200.7	12/29/09 12:33 / sld		ICP1-HE_091229A : 58		R59261
Manganese	ND	mg/L		0.01		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Mercury	ND	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Nickel	ND	mg/L		0.01		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Potassium	5	mg/L		1		E200.7	12/29/09 12:33 / sld		ICP1-HE_091229A : 58		R59261
Selenium	0.003	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Silver	ND	mg/L		0.005		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



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LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID EHR-1209-302
Lab ID: H09120250-003
Matrix: Aqueous

Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Collection Date: 12/24/09 09:20 Date Received: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	16	mg/L		1		E200.7	12/29/09 16:41 / sld		ICP1-HE_091229B : 49		R59274
Tellurium	ND	mg/L		0.1		E200.7	12/29/09 16:41 / sld		ICP1-HE_091229B : 49		R59274
Thallium	ND	mg/L		0.001		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Vanadium	ND	mg/L		0.01		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286
Zinc	0.03	mg/L		0.01		E200.8	12/30/09 05:36 / dck		ICPMS204-B_091230A : 21		R59286

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.

January 15, 2010

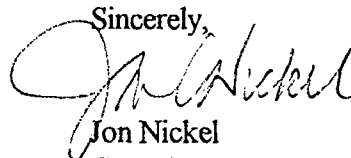
David Jensen
P. O. Box 1021
401 Gail Street
East Helena, Montana 59635

Dear Mr. Jensen:

Enclosed are the analytical results for the water samples that were collected from your 401 Gail Street ground water well on December 24, 2009. All the results are reported in milligrams per liter, unless otherwise noted. The physical parameters are reported in the units noted on the attached laboratory analytical report. "ND" indicates that the parameter was not detected at the reporting limit.

Based on the analytical results, the water quality of the well is better than the Montana Human Health Standards and Federal Maximum Contaminant Level (MCL)/Action Levels for the constituents tested. These recent water quality results are consistent with previous monitoring data from your site and do not indicate significant changes from historical baseline data.

If you have any questions about the enclosed water quality results, please feel free to contact me at 227-4529.

Sincerely,

Jon Nickel
Consultant

Enclosures

Cc: via electronic mail:

Cindy Brooks - METG, Trustee for the Montana Environmental Custodial Trust
Marc Weinreich - METG, Trustee for the Montana Environmental Custodial Trust
Bob Anderson - Hydrometrics



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Toll Free 877.472.0711 * 406.442.0711 * FAX 406.442.0712 * helena@enerylab.com

LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID: EHR-1209-300
Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Matrix: Aqueous

Jensen Residence
401 Gail Street

Lab ID: H09120250-001
Collection Date: 12/24/09 08:15
Date Received: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	QUAL	RL	MCL	Method	Analysis Date / By	Prep Date	Prep Method	RunID	Run Order	BatchID
PHYSICAL PROPERTIES												
pH	7.3	s.u.		0.1		A4500-H B	12/28/09 09:17 / hm			PH2_091228A : 2		091228A-PH-W
Conductivity	748	umhos/cm		1		A2510 B	12/28/09 09:12 / hm			COND_091228A : 3		091228A-COND-PROBE W
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	12/28/09 09:35 / hm	12/28/09 08:42	A2540 D	-124 (14410200)_091228A : 4		7667
Solids, Total Dissolved TDS @ 180 C	534	mg/L		10		A2540 C	12/28/09 08:52 / hm	12/28/09 08:41	A2540 C	-124 (14410200)_091228B : 3		7666
INORGANICS												
Alkalinity, Total as CaCO3	120	mg/L		1		A2320 B	12/29/09 14:02 / hm			MAN-TECH_091229A : 26		R59266
Bicarbonate as HCO3	150	mg/L		1		A2320 B	12/29/09 14:02 / hm			MAN-TECH_091229A : 26		R59266
Chloride	25	mg/L		1		E300.0	12/28/09 22:55 / hm			IC101-H_091228A : 40		R59376
Sulfate	230	mg/L		1		E300.0	12/28/09 22:55 / hm			IC101-H_091228A : 40		R59376
METALS, DISSOLVED												
Aluminum	ND	mg/L		0.1		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Antimony	ND	mg/L		0.003		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Arsenic	ND	mg/L		0.002		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Barium	ND	mg/L		0.1		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Beryllium	ND	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Cadmium	ND	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Calcium	100	mg/L		1		E200.7	12/29/09 16:34 / slt			ICP1-HE_091229B : 47		R59274
Chromium	ND	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Cobalt	ND	mg/L		0.01		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Copper	0.002	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Gold	ND	mg/L		0.01		E200.7	12/29/09 12:27 / slt			ICP1-HE_091229A : 56		R59261
Iron	0.07	mg/L		0.02		E200.7	12/29/09 12:27 / slt			ICP1-HE_091229A : 56		R59261
Lead	ND	mg/L		0.005		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Magnesium	20	mg/L		1		E200.7	12/29/09 12:27 / slt			ICP1-HE_091229A : 56		R59261
Manganese	0.03	mg/L		0.01		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Mercury	ND	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Nickel	ND	mg/L		0.01		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Potassium	6	mg/L		1		E200.7	12/29/09 12:27 / slt			ICP1-HE_091229A : 56		R59261
Selenium	0.018	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Silver	ND	mg/L		0.005		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Sodium	24	mg/L		1		E200.7	12/29/09 16:34 / slt			ICP1-HE_091229B : 47		R59274
Tellurium	ND	mg/L		0.1		E200.7	12/29/09 16:34 / slt			ICP1-HE_091229B : 47		R59274

Report Definitions: RL - Analyte reporting limit.

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ND - Not detected at the reporting limit.



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LABORATORY ANALYTICAL REPORT

Client: MT ENV Trust Goup LLC,
Client Sample ID: EHR-1209-300
Project: Long-Term RI/FS Rsdntl Well Sampling - Dec. 2009
Matrix: Aqueous

Lab ID: H09120250-001
Collection Date: 12/24/09 08:15
Date Received: 12/24/09
Report Date: 01/05/10

Analyses	Result	Units	QUAL	RL	MCL	Method	Analysis Date / By	Prep Date	Prep Method	RunID	Run Order	BatchID
METALS, DISSOLVED												
Thallium	ND	mg/L		0.001		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Vanadium	ND	mg/L		0.01		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286
Zinc	0.04	mg/L		0.01		E200.8	12/30/09 05:25 / dck			ICPMS204-B_091230A : 19		R59286

Report RL - Analyte reporting limit.
Definitions:

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.

December 18, 2009

Pat Foley
203 Gail Street
P. O. Box 1551
East Helena, Montana 59635

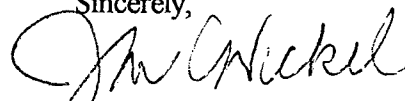
Dear Mr. Foley:

Enclosed are the analytical results for the water samples (both original and duplicate) that were collected from the 203 Gail Street ground water well on November 20, 2009. All the results are reported in milligrams per liter, unless otherwise noted. The physical parameters are reported in the units noted on the attached laboratory analytical report. "ND" indicates that the parameter was not detected at the reporting limit.

Based on the analytical results, the water quality of the well is better than the Montana Human Health Standards and Federal Maximum Contaminant Level (MCL)/Action Levels for the constituents tested. These recent water quality results are consistent with previous monitoring data from your site and do not indicate significant changes from historical baseline data.

If you have any questions about the enclosed water quality results, please feel free to contact me at 227-4529.

Sincerely,



Jon Nickel
Consultant

Enclosures

Cc: via electronic mail:

Cindy Brooks - METG, Trustee for the Montana Environmental Custodial Trust
Marc Weinreich - METG, Trustee for the Montana Environmental Custodial Trust
Bob Anderson - Hydrometrics



LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: FHR-1109-300
Lab ID: H09110290-001
Matrix: Aqueous

Foley Residence (Original Sample)
203 Gail Street

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 09:30
Date Received: 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.3	s.u.		0.1		A4500-H B	11/20/09 17:34 / hm		PH2_091120A : 20		091120A-PH-W
Conductivity	283	umhos/cm		1		A2510 B	11/20/09 17:31 / hm		COND_091120A : 3291120A-COND-PROB		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	11/23/09 14:03 / JG	11/23/09 13:45 124 (14410200)_091123A : 29			7458
Solids, Total Dissolved TDS @ 180 C	168	mg/L		10		A2540 C	11/23/09 14:19 / JG	11/23/09 13:43 124 (14410200)_091123B : 28			7456
INORGANICS											
Alkalinity, Total as CaCO3	77	mg/L		1		A2320 B	11/23/09 20:17 / hm		MAN-TECH_091123A : 64		R58398
Bicarbonate as HCO3	93	mg/L		1		A2320 B	11/23/09 20:17 / hm		MAN-TECH_091123A : 64		R58398
Chloride	4	mg/L		1		E300.0	11/23/09 14:05 / hm		IC101-H_091120A : 260		R58411
Sulfate	52	mg/L		1		E300.0	11/23/09 14:05 / hm		IC101-H_091120A : 260		R58411
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Antimony	ND	mg/L		0.003		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Arsenic	ND	mg/L		0.002		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Barium	ND	mg/L		0.1		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Beryllium	ND	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Cadmium	ND	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Calcium	29	mg/L		1		E200.7	11/23/09 16:33 / sld		ICP1-HE_091123A : 134		R58415
Chromium	ND	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Cobalt	ND	mg/L		0.01		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Copper	0.015	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Gold	ND	mg/L		0.01		E200.7	11/23/09 16:33 / sld		ICP1-HE_091123A : 134		R58415
Iron	ND	mg/L		0.02		E200.7	11/23/09 16:33 / sld		ICP1-HE_091123A : 134		R58415
Lead	ND	mg/L		0.005		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Magnesium	6	mg/L		1		E200.7	11/23/09 16:33 / sld		ICP1-HE_091123A : 134		R58415
Manganese	ND	mg/L		0.01		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Mercury	ND	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Nickel	ND	mg/L		0.01		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Potassium	2	mg/L		1		E200.7	11/23/09 16:33 / sld		ICP1-HE_091123A : 134		R58415
Selenium	ND	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Silver	ND	mg/L		0.005		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



ENERGY LABORATORIES, INC. * 3161 E Lyndale (59604) * PO Box 5688 * Helena, MT 59601
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LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-300
Lab ID: H09110290-001
Matrix: Aqueous

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 09:30 Date Received: 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	13	mg/L		1		E200.7	11/24/09 16:20 / sld		ICP1-HE_091124B : 51		R58468
Tellurium	ND	mg/L		0.1		E200.7	11/23/09 16:33 / sld		ICP1-HE_091123A : 134		R58415
Thallium	ND	mg/L		0.001		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Vanadium	ND	mg/L		0.01		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375
Zinc	ND	mg/L		0.01		E200.8	11/23/09 16:41 / dck		ICPMS204-B_091123A : 62		R58375

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-301 **Foley Residence (Duplicate Sample)**
Lab ID: H09110290-002 **28 Gail Street**
Matrix: Aqueous

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 09:45 **Date Received:** 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.3	s.u.		0.1		A4500-H B	11/20/09 17:37 / hm		PH2_091120A : 21		091120A-PH-W
Conductivity	284	umhos/cm		1		A2510 B	11/20/09 17:33 / hm		COND_091120A : 3391120A-COND-PROB		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	11/23/09 14:03 / JG	11/23/09 13:45 124. (14410200)_091123A : 30			7458
Solids, Total Dissolved TDS @ 180 C	169	mg/L		10		A2540 C	11/23/09 14:20 / JG	11/23/09 13:43 124 (14410200)_091123B : 29			7456
INORGANICS											
Alkalinity, Total as CaCO3	76	mg/L		1		A2320 B	11/23/09 20:23 / hm		MAN-TECH_091123A : 65		R58398
Bicarbonate as HCO3	93	mg/L		1		A2320 B	11/23/09 20:23 / hm		MAN-TECH_091123A : 65		R58398
Chloride	4	mg/L		1		E300.0	11/23/09 14:22 / hm		IC101-H_091120A : 261		R58411
Sulfate	52	mg/L		1		E300.0	11/23/09 14:22 / hm		IC101-H_091120A : 261		R58411
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Antimony	ND	mg/L		0.003		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Arsenic	ND	mg/L		0.002		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Barium	ND	mg/L		0.1		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Beryllium	ND	mg/L		0.001		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Cadmium	ND	mg/L		0.001		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Calcium	29	mg/L		1		E200.7	11/23/09 16:36 / sld		ICP1-HE_091123A : 135		R58415
Chromium	ND	mg/L		0.001		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Cobalt	ND	mg/L		0.01		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Copper	0.016	mg/L		0.001		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Gold	ND	mg/L		0.01		E200.7	11/23/09 16:36 / sld		ICP1-HE_091123A : 135		R58415
Iron	ND	mg/L		0.02		E200.7	11/23/09 16:36 / sld		ICP1-HE_091123A : 135		R58415
Lead	ND	mg/L		0.005		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Magnesium	6	mg/L		1		E200.7	11/23/09 16:36 / sld		ICP1-HE_091123A : 135		R58415
Manganese	ND	mg/L		0.01		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Mercury	ND	mg/L		0.001		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Nickel	ND	mg/L		0.01		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Potassium	3	mg/L		1		E200.7	11/23/09 16:36 / sld		ICP1-HE_091123A : 135		R58415
Selenium	ND	mg/L		0.001		E200.8	11/24/09 13:08 / dck		ICPMS204-B_091124A : 24		R58505
Silver	ND	mg/L		0.005		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



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LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-301
Lab ID: H09110290-002
Matrix: Aqueous

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 09:45 **Date Received:** 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	13	mg/L		1		E200.7	11/24/09 16:23 / sld		ICP1-HE_091124B : 52		R58468
Tellurium	ND	mg/L		0.1		E200.7	11/23/09 16:36 / sld		ICP1-HE_091123A : 135		R58415
Thallium	ND	mg/L		0.001		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Vanadium	ND	mg/L		0.01		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375
Zinc	ND	mg/L		0.01		E200.8	11/23/09 16:46 / dck		ICPMS204-B_091123A : 63		R58375

Report RL - Analyte reporting limit.
Definitions:

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.

December 18, 2009

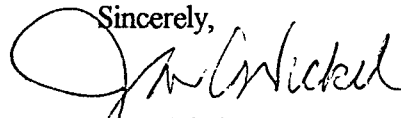
John Simac
2540 Wylie Drive
P. O. Box 59
East Helena, Montana 59635

Dear Mr. Simac:

Enclosed are the analytical results for the water samples that were collected from the 2540 Wylie Drive ground water well on November 20, 2009. Your irrigation well was not in service during the sampling event. All the results are reported in milligrams per liter, unless otherwise noted. The physical parameters are reported in the units noted on the attached laboratory analytical report. "ND" indicates that the parameter was not detected at the reporting limit.

Based on the analytical results, the water quality of the well is better than the Montana Human Health Standards and Federal Maximum Contaminant Level (MCL)/Action Levels for the constituents tested. These recent water quality results are consistent with previous monitoring data from your site and do not indicate significant changes from historical baseline data.

If you have any questions about the enclosed water quality results, please feel free to contact me at 227-4529.

Sincerely,

Jon Nickel
Consultant

Enclosures

Cc: via electronic mail:

Cindy Brooks – METG, Trustee for the Montana Environmental Custodial Trust
Marc Weinreich - METG, Trustee for the Montana Environmental Custodial Trust
Bob Anderson - Hydrometrics



LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-302 Simac Residence Drinking Water
Lab ID: H09110290-003 2540 Wylie Drive
Matrix: Aqueous

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 10:10 **Date Received:** 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.3	s.u.		0.1		A4500-H B	11/20/09 17:38 / hm		PH2_091120A : 22		091120A-PH-W
Conductivity	475	umhos/cm		1		A2510 B	11/20/09 17:34 / hm		COND_091120A : 3491120A-COND-PROB		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	11/23/09 14:04 / JG	11/23/09 13:45 124 (14410200)_091123A : 31			7458
Solids, Total Dissolved TDS @ 180 C	312	mg/L		10		A2540 C	11/23/09 14:20 / JG	11/23/09 13:43 124 (14410200)_091123B : 30			7456
INORGANICS											
Alkalinity, Total as CaCO3	110	mg/L		1		A2320 B	11/23/09 20:44 / hm		MAN-TECH_091123A : 68		R58398
Bicarbonate as HCO3	140	mg/L		1		A2320 B	11/23/09 20:44 / hm		MAN-TECH_091123A : 68		R58398
Chloride	7	mg/L		1		E300.0	11/23/09 15:11 / hm		IC101-H_091120A : 264		R58411
Sulfate	110	mg/L		1		E300.0	11/23/09 15:11 / hm		IC101-H_091120A : 264		R58411
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Antimony	ND	mg/L		0.003		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Arsenic	ND	mg/L		0.002		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Barium	ND	mg/L		0.1		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Beryllium	ND	mg/L		0.001		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Cadmium	ND	mg/L		0.001		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Calcium	56	mg/L		1		E200.7	11/23/09 16:40 / sld		ICP1-HE_091123A : 136		R58415
Chromium	ND	mg/L		0.001		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Cobalt	ND	mg/L		0.01		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Copper	0.002	mg/L		0.001		E200.8	11/24/09 13:29 / dck		ICPMS204-B_091124A : 28		R58505
Gold	ND	mg/L		0.01		E200.7	11/23/09 16:40 / sld		ICP1-HE_091123A : 136		R58415
Iron	ND	mg/L		0.02		E200.7	11/23/09 16:40 / sld		ICP1-HE_091123A : 136		R58415
Lead	ND	mg/L		0.005		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Magnesium	12	mg/L		1		E200.7	11/23/09 16:40 / sld		ICP1-HE_091123A : 136		R58415
Manganese	ND	mg/L		0.01		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Mercury	ND	mg/L		0.001		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Nickel	ND	mg/L		0.01		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Potassium	5	mg/L		1		E200.7	11/23/09 16:40 / sld		ICP1-HE_091123A : 136		R58415
Selenium	0.003	mg/L		0.001		E200.8	11/24/09 13:29 / dck		ICPMS204-B_091124A : 28		R58505
Silver	ND	mg/L		0.005		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



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Toll Free 877.472.0711 * 406.442.0711 * FAX 406.442.0712 * helena@energyglab.com *

LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-302
Lab ID: H09110290-003
Matrix: Aqueous

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 10:10 **Date Received:** 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	16	mg/L		1		E200.7	11/24/09 16:26 / sld		ICP1-HE_091124B : 53		R58468
Tellurium	ND	mg/L		0.1		E200.7	11/23/09 16:40 / sld		ICP1-HE_091123A : 136		R58415
Thallium	ND	mg/L		0.001		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Vanadium	ND	mg/L		0.01		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375
Zinc	0.02	mg/L		0.01		E200.8	11/23/09 16:51 / dck		ICPMS204-B_091123A : 64		R58375

Report RL - Analyte reporting limit.
Definitions:

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.

December 18, 2009

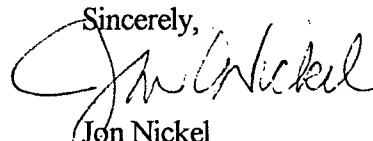
David Jensen
P. O. Box 1021
401 Gail Street
East Helena, Montana 59635

Dear Mr. Jensen:

Enclosed are the analytical results for the water samples that were collected from your 401 Gail Street ground water well on November 20, 2009. All the results are reported in milligrams per liter, unless otherwise noted. The physical parameters are reported in the units noted on the attached laboratory analytical report. "ND" indicates that the parameter was not detected at the reporting limit.

Based on the analytical results, the water quality of the well is better than the Montana Human Health Standards and Federal Maximum Contaminant Level (MCL)/Action Levels for the constituents tested. These recent water quality results are consistent with previous monitoring data from your site and do not indicate significant changes from historical baseline data.

If you have any questions about the enclosed water quality results, please feel free to contact me at 227-4529.

Sincerely,

Jon Nickel
Consultant

Enclosures

Cc: via electronic mail:

Cindy Brooks - METG, Trustee for the Montana Environmental Custodial Trust
Marc Weinreich - METG, Trustee for the Montana Environmental Custodial Trust
Bob Anderson - Hydrometrics



LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-303
Lab ID: H09110290-004
Matrix: Aqueous

Jensen Residence
401 Gail Street

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 11:00 **Date Received:** 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
PHYSICAL PROPERTIES											
pH	7.2	s.u.		0.1		A4500-H B	11/20/09 17:39 / hm		PH2_091120A : 23		091120A-PH-W
Conductivity	758	umhos/cm		1		A2510 B	11/20/09 17:35 / hm		COND_091120A : 3591120A-COND-PROB		
Solids, Total Suspended TSS @ 105 C	ND	mg/L		10		A2540 D	11/23/09 14:05 / JG	11/23/09 13:45 124 (14410200)_091123A : 33			7458
Solids, Total Dissolved TDS @ 180 C	534	mg/L		10		A2540 C	11/23/09 14:22 / JG	11/23/09 13:43 124 (14410200)_091123B : 33			7456
INORGANICS											
Alkalinity, Total as CaCO3	120	mg/L		1		A2320 B	11/23/09 20:50 / hm		MAN-TECH_091123A : 69		R58398
Bicarbonate as HCO3	140	mg/L		1		A2320 B	11/23/09 20:50 / hm		MAN-TECH_091123A : 69		R58398
Chloride	27	mg/L		1		E300.0	11/23/09 15:27 / hm		IC101-H_091120A : 265		R58411
Sulfate	230	mg/L		1		E300.0	11/23/09 15:27 / hm		IC101-H_091120A : 265		R58411
METALS, DISSOLVED											
Aluminum	ND	mg/L		0.1		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Antimony	ND	mg/L		0.003		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Arsenic	ND	mg/L		0.002		E200.8	11/24/09 13:34 / dck		ICPMS204-B_091124A : 29		R58505
Barium	ND	mg/L		0.1		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Beryllium	ND	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Cadmium	ND	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Calcium	95	mg/L		1		E200.7	11/23/09 16:55 / sld		ICP1-HE_091123A : 141		R58415
Chromium	ND	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Cobalt	ND	mg/L		0.01		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Copper	0.006	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Gold	ND	mg/L		0.01		E200.7	11/23/09 16:55 / sld		ICP1-HE_091123A : 141		R58415
Iron	0.15	mg/L		0.02		E200.7	11/23/09 16:55 / sld		ICP1-HE_091123A : 141		R58415
Lead	ND	mg/L		0.005		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Magnesium	22	mg/L		1		E200.7	11/23/09 16:55 / sld		ICP1-HE_091123A : 141		R58415
Manganese	0.03	mg/L		0.01		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Mercury	ND	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Nickel	ND	mg/L		0.01		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Potassium	6	mg/L		1		E200.7	11/23/09 16:55 / sld		ICP1-HE_091123A : 141		R58415
Selenium	0.018	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Silver	ND	mg/L		0.005		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.



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LABORATORY ANALYTICAL REPORT

Client: Asarco LLC
Client Sample ID: EHR-1109-303
Lab ID: H09110290-004
Matrix: Aqueous

Project: Residential Wells-Long Term RI/RS-November 2009
Collection Date: 11/20/09 11:00 DateReceived: 11/20/09
Report Date: 12/10/09

Analyses	Result	Units	Qualifiers	RL	MDL	Method	Analysis Date / By	Prep Date	RunID	Run Order	BatchID
METALS, DISSOLVED											
Sodium	25	mg/L		1		E200.7	11/25/09 10:13 / sld		ICP1-HE_091125A : 22		R58469
Tellurium	ND	mg/L		0.1		E200.7	11/23/09 16:55 / sld		ICP1-HE_091123A : 141		R58415
Thallium	ND	mg/L		0.001		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Vanadium	ND	mg/L		0.01		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375
Zinc	0.05	mg/L		0.01		E200.8	11/23/09 16:56 / dck		ICPMS204-B_091123A : 65		R58375

Report Definitions: RL - Analyte reporting limit.

MCL - Maximum contaminant level.

ND - Not detected at the reporting limit.